IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3454 of 2005

Between:

K. Adinarayana Reddy, s/o Bommi Reddy, R/o Reddy Cheruvupally Village, Gorantla Mandal, Ananthapur District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Penukonda, Ananthapur District.
2 The Mandal Revenue Officer, Gorantla Mandal, Ananthapur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not disposing of the enquiry relating to suspension and cancellation of authorisation of the petitioner Fair Price Shop of Reddy Cheruvupally Village, Gorantla Mandal, Ananthapur District at the earliest as illegal, arbitrary, consequently direct the respondents to supply the commodities to the petitioner shop for distribution to the Card-holders.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing on behalf of the respondents.

Questioning the action of respondent No.1 in not disposing of the enquiry relating to suspension and cancellation of authorization of the petitioner in respect of the fair price shop of Reddy Cheruvupally village, Gorantla Mandal, Ananthapur District, the petitioner filed this writ petition.

The main grievance of the petitioner is that in spite of the order passed by this Court in W.P. No.24965 of 2004, dated 18-01-20054, directing respondent No.1 herein to pass orders in the proceedings initiated against the petitioner herein within a period of four weeks, respondent No.1 has not conducted any enquiry and passed final orders in the matter. Hence, the writ petition.

The learned Government Pleader for Civil Supplies, on oral instructions, submitted that the petitioner himself sought time and he did not attend the enquiry conducted by the Revenue Divisional Officer, and therefore, no orders could be passed as directed by this Court. The learned counsel for the petitioner denied the same.

Under the circumstances, instead of keeping the writ petition pending, respondent No.1-Revenue Divisional Officer, Penukonda, Ananthapur District is directed to conduct enquiry on 25-5-2005 with respect to the proceedings initiated against the petitioner and pass final orders. As the Court fixed the date of enquiry, no notice

need be issued for the appearance of the petitioner to the enquiry. The learned counsel for the petitioner undertakes to communicate the petitioner about the date of enquiry. It is made clear to the petitioner and respondent No.1 that any violation of this order will be viewed seriously.

With the above observations, the writ petition is disposed of. No costs.

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N.V. RAMANA, J

Date: 28-4-2005

Note:

Issue C.C. by tomorrow

(Bo)

Svv

..... REGISTRAR

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SECTION OFFICER

To

1 The Revenue Divisional Officer, Penukonda, Ananthapur District.
2 The Mandal Revenue Officer, Gorantla Mandal, Ananthapur District.

3 Two CCs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CD copies

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